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EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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12/21/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/635,460

Applicant(s)

WIECHERS ET AL.

Examiner

Lennin R. Rodriguez

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-16 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-16 and 18-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection. Applicant's added limitations such as "said automated preflight module further automatically correcting errors identified in said print job or said job ticket at the designer location" requires new search and consideration and in view of this arguments are moot.
2. Abstract objection has been withdrawn in view of the received amendment.
3. Examiner mistakenly suggested a change for claims 15-29 rejected under 35 U.S.C. 101, now the change should have been "computer-readable medium that stores a program ..." to be in accordance with the statute and he apologizes for any uncertainty this may have caused. However, this change would not make any difference to the allowability of the claims as amended with new limitations.

Claim Rejections - 35 USC § 101

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 15-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "program product" is being recited; however a "program product" as presented in the claims is directed to software per se. This subject matter is not limited to that which falls within a statutory category of invention

because it is limited to a process, machine, manufacture, or a composition of matter. Software is a function descriptive material and a function descriptive material is non-statutory subject matter. Examiner suggests changing it to -- computer-readable medium that stores a program ...--.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-2, 5-6, 11-12, 15-16, 19-20 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) in view of Schorr et al. (US 6,608,697).

(1) regarding claims 1 and 15:

Roztocil '868 discloses a method of managing workflow in a commercial printing environment including a designer location and a print service provider location (Fig.1), said method comprising:

creating a press ready file at the designer location using updated device configuration information from the print service provider location (paragraph [0027], lines 18-24, where the creation of the print ready file is done at the designer location (customer location paragraph [0022]) using device configuration information (the device configuration information at some point in time has to be updated into the system)), said press ready file including a print job to be printed at the print service provider location (paragraph [0027], lines 18-24, where the document is converted into a print ready file

format, thus including the job) and a job ticket that specifies production devices of the print service provider location to be used to process said print job (paragraph [0023], where the ticket can include for example a three hole puncher in the final output) and processing instructions for the print service provider location (paragraph [0023], lines 3-5);

sending said press ready file from the designer location to the print service provider location via an electronic network (paragraph [0022], lines 8-13); and

performing at least one of automated printing, finishing (paragraph [0045], lines 1-6), packaging and shipping at the print service provider location.

Roztocil '868 discloses all the subject matter as described above except an automated preflight module performing an automated preflight check of said press ready file at the designer location, said automated preflight check comprising said automated preflight module automatically reviewing characteristics of said print job and said job ticket and comparing them to characteristics of the selected production devices of the print service provider location and automatically identifying any errors;

said automated preflight module further automatically correcting errors identified in said print job or said job ticket at the designer location.

However, Schorr '697 teaches an automated preflight module performing an automated preflight check of said press ready file at the designer location (column 3, lines 61-67 and column 9, lines 33-37, where the preflight is accessed on the client side), said automated preflight check comprising said automated preflight module automatically reviewing characteristics of said print job and said job ticket and

comparing them to characteristics of the selected production devices of the print service provider location (column 3, lines 10-29, where reviewing is being performed automatically in the client side, by matching information in the print elements to the printer profiles obtained from the vendor) and automatically identifying any errors (column 3, lines 18-23);

said automated preflight module further automatically correcting errors identified in said print job or said job ticket at the designer location (column 3, lines 5-7, where by submitting an error free print file is the same as correcting the errors at the designer location by the preflight module).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an automated preflight module performing an automated preflight check of said press ready file at the designer location, said automated preflight check comprising said automated preflight module automatically reviewing characteristics of said print job and said job ticket and comparing them to characteristics of the selected production devices of the print service provider location and automatically identifying any errors, said automated preflight module further automatically correcting errors identified in said print job or said job ticket at the designer location as taught by Schorr '697, in the system of Roztocil '868. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particular vendor. Further, as will be understood by reviewing the description of the preferred embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

(2) regarding claims 2 and 16:

Roztocil '868 further discloses said method further comprises a step of verifying, at the print service provider location, that said press ready file will be produced at the print service provider location as designed at the designer location and, if not, correcting said press ready file to ensure production substantially as designed (paragraph [0030], lines 9-14, where if the job preparation stations can be used to correct and prevent inaccuracies in the finished output).

(3) regarding claims 5 and 19:

Roztocil '868 further discloses wherein the errors comprise at least one of: paper mismatch between press ready file and selected press at print service provider location, ink mismatch between press ready file and selected press at print service provider location, missing imposition instructions, missing imposition proofing file, missing imposition proofing approval (paragraph [0030], lines 9-24, where the binder's creep caused an error in the imposition signature, thus missing the imposition proofing approval), missing remote printing file and missing contract proof approval.

(4) regarding claims 6 and 20:

Roztocil '868 further disclose wherein the errors comprise at least one of: inappropriate finishing device attached to selected press at print service provider location, nonfunctional selected finishing device, selected finishing device incapable of performing required tasks (paragraph [0045], lines 1-6, 30-34, where when the finishing device cannot handle some feature, it signal the operator to perform the steps

necessary to overcome the problem), missing finishing instructions and missing finishing mock-up file.

(5) regarding claims 11 and 25:

Roztocil '868 further discloses wherein said step of creating a press ready file at the designer location further comprises performing automated remote imposition setup of said press ready file to remotely arrange a plurality of design pages of said press ready file onto one or more print pages (paragraph [0030], lines 9-24, where the blinder's creep, which is the inaccuracies of the imposition, is being prevented by shifting the image and arranging it in pages of a job).

(6) regarding claims 12 and 26:

Roztocil '868 further discloses wherein said step of creating a press ready file at the designer location further comprises performing automated remote finishing setup of said press ready file to remotely select the desired finishing options for said press ready file when printed at the print service provider location to prepare finishing instructions to effect the same (Fig. 3 and Fig. 4, paragraph [0079], where the graphic user interface is allowing the designer to select the desired finishing options).

8. Claims 4, 9, 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) and Schorr et al. (US 6,608,697) as applied to claims above, and further in view of Crandall et al. (US 5,963,641).

(1) regarding claims 4 and 18:

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein the errors comprise at least one of: missing font, missing image,

incorrect image resolution, missing crop marks, incorrect scaling, incorrect rotation, and incorrect color space.

However, Crandall '641 teaches wherein the errors comprise at least one of: missing font, missing image, incorrect image resolution, missing crop marks, incorrect scaling, incorrect rotation, and incorrect color space (column 3, lines 13-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the errors comprise at least one of: missing font, missing image, incorrect image resolution, missing crop marks, incorrect scaling, incorrect rotation, and incorrect color space as taught by Crandall '641 in the system of Roztocil '868 and Schorr '697. With this it is attempt to alleviate some output problems by providing the users with tools to examine the document prior to printing as disclose in Crandall '641 column 3, lines 13-16.

(2) regarding claims 9 and 23:

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein said automated preflight check of said press ready file includes automatic generation of a report at the designer location of the identified errors in said press ready file.

However, Crandall '641 teaches wherein said automated preflight check of said press ready file includes automatic generation of a report at the designer location of the identified errors in said press ready file (column 1, lines 44-50 and column 5, lines 46-54, where the error report file contains a report of the errors of the press ready file).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated preflight check of said press ready file includes automatic generation of a report at the designer location of the identified errors in said press ready file as taught by Crandall '641 in the system of Roztocil '868 and Schorr '697. With this it is attempt to alleviate some output problems by providing the users with tools to examine the document prior to printing as disclose in Crandall '641 column 3, lines 13-16.

9. Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) and Schorr et al. (US 6,608,697) as applied to claims above, and further in view of Gorp et al. (US 2004/0252319).

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein the errors comprise at least one of: inappropriate packaging device attached to selected press and finishing device at print service provider location, nonfunctional selected packaging device, selected packaging device incapable of performing required tasks and missing packaging instructions.

However, Gorp '319 teaches wherein the errors comprise at least one of: inappropriate packaging device attached to selected press and finishing device at print service provider location, nonfunctional selected packaging device, selected packaging device incapable of performing required tasks (paragraph [0033], where it is disclosing the package device and paragraph [0036], lines 1-4, where it is reporting an error with the packaging device) and missing packaging instructions.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the errors comprise at least one of: inappropriate packaging device attached to selected press and finishing device at print service provider location, nonfunctional selected packaging device, selected packaging device incapable of performing required tasks and missing packaging instructions as taught by Gorp '319 in the system of Roztocil '868 and Schorr '697. Hence, a need exists for an enhanced technique for printing a document using multiple resources, tracking the document at all stages, and compiling the document while maintaining superior integrity at all times as disclose in Gorp '319 paragraph [0005], lines 5-8.

10. Claims 8 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) and Schorr et al. (US 6,608,697) as applied to claims above, and further in view of Tibbs et al. (US 2002/0010689).

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein the errors comprise at least one of: missing shipping instructions, missing list of recipient names and destinations and of final output and invalid automated courier selected.

However, Tibbs '689 teaches wherein the errors comprise at least one of: missing shipping instructions, missing list of recipient names and destinations (paragraph [0033], lines 5-8, where the shipping information is being interpreted as containing recipient names and destinations) and of final output and invalid automated courier selected.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the errors comprise at least one of: missing shipping instructions, missing list of recipient names and destinations and of final output and invalid automated courier selected as taught by Tibbs '689 in the system of Roztocil '868 and Schorr '697. With this, it is intended to improved the method and system for handling returns as disclose in Tibbs paragraph [0005], thus making the system more reliable.

11. Claims 10 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) and Schorr et al. (US 6,608,697) as applied to claims above, and further in view of Smith (US 6,441,920).

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein said automated preflight check of the press ready file includes automatic generation of alarms discernable at the designer location corresponding to the identification of errors in said press ready file.

However, Smith '920 teaches wherein said automated preflight check of the press ready file includes automatic generation of alarms discernable at the designer location corresponding to the identification of errors in said press ready file (column 9, lines 7-16).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated preflight check of the press ready file includes automatic generation of alarms discernable at the designer location corresponding to the identification of errors in said press ready file as taught by Smith

'920 in the system of Roztocil '868 and Schorr '697. With this the user can be informed about errors in the data, thus making the system user-friendlier.

12. Claims 13-14 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US 2001/0044868) and Schorr et al. (US 6,608,697) as applied to claims above, and further in view of Stewart et al. (US 6,714,964).

(1) regarding claims 13 and 27:

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein said step of creating a press ready file at the designer location further comprises performing automated remote packaging setup of said press ready file to remotely select the desired packaging options for said press ready file when printed at the print service provider location and to prepare packaging instructions to effect the same.

However, Stewart '964 teaches wherein said step of creating a press ready file at the designer location further comprises performing automated remote packaging setup of said press ready file to remotely select the desired packaging options for said press ready file when printed at the print service provider location (column 8, lines 39-44, where servicing on the completed jobs includes wrapping the documents to be shipped as well as boxing the documents) and to prepare packaging instructions to effect the same (column 8, lines 39-44, where servicing is being interpreted as containing instructions for packaging).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said step of creating a press ready file at the designer

location further comprises performing automated remote packaging setup of said press ready file to remotely select the desired packaging options for said press ready file when printed at the print service provider location and to prepare packaging instructions to effect the same as taught by Stewart '964 in the system of Roztocil '868 and Schorr '697. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(2) regarding claims 14 and 28:

Roztocil '868 and Schorr '697 disclose all the subject matter as described above except wherein said step of creating a press ready file at the designer location further comprises performing automated remote shipping setup of said press ready file to remotely select the desired shipping options for said press ready file when printed at the print service provider location and to prepare shipping instructions to effect the same.

However, Stewart '964 teaches wherein said step of creating a press ready file at the designer location further comprises performing automated remote shipping setup of said press ready file to remotely select the desired shipping options for said press ready file when printed at the print service provider location col. 8, lines 39-44, where servicing on the completed jobs includes shipping or delivery of the documents) and to prepare shipping instructions to effect the same (col. 8, lines 39-44, where servicing is being interpreted as containing instructions for servicing).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said step of creating a press ready file at the designer location further comprises performing automated remote shipping setup of said press ready file to remotely select the desired shipping options for said press ready file when printed at the print service provider location and to prepare shipping instructions to effect the same as taught by Stewart '964 in the system of Roztocil '868 and Schorr '697. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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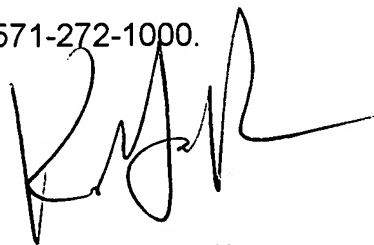
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
12/15/07



KING Y. POON
SUPERVISORY PATENT EXAMINER